

DANIEL G. BOGDEN
United States Attorney
Nevada Bar No. 2137
CARLOS A. GONZALEZ
Assistant U.S. Attorney
U.S. Attorney's Office
333 Las Vegas Blvd. South, Suite 5000
Las Vegas, NV 89101
Phone: (702) 388-6336
FAX: (702) 388-6787
E-mail: carlos.gonzalez2@usdoj.gov
Attorney for Plaintiff
United States of America

**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF NEVADA**

CHRISTOPHER E. MCNEIL,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

2:11-CV-02076-JCM-VCF

**MOTION FOR ENTRY OF FINAL
 ORDER IN GARNISHMENT**

Defendant, United States of America, respectfully requests the court to enter the final order in garnishment in this matter pursuant to 28 U.S.C. § 3205. In support of this request, the United States respectfully states to the court the following:

1. An application for writ of garnishment was filed by the United States of America, and a writ of garnishment directed to garnishee was duly issued and served upon the garnishee.

2. Pursuant to the writ of garnishment, on or about August 22, 2011, the garnishee filed an answer stating that at the time of the service of the writ it had in its possession or under its control personal property belonging to and due defendant.

...

1 The garnishee stated it was holding underlying shares of or other outstanding certificates
2 in the amount of \$190.95 and funds held in a fiduciary capacity in the amount of \$66.95.

3 3. The defendant was served with a copy of the writ of garnishment and
4 notified of his right to a hearing on November 25, 2011. On December 12, 2011, the
5 Defendant filed a motion for hearing and request for transfer to the District of Nevada.
6 The parties have fully briefed the issues and in an order dated April 19, 2012, the Court
7 denied McNeil's request for a hearing and denied his claim for exemption.

8 WHEREFORE, all conditions to the issuance of a final order in garnishment
9 against the non-exempt earnings of the defendant are fully satisfied. The United States
10 respectfully requests that a final order in garnishment be issued.

11 DATED this 25th day of April, 2012.

12 DANIEL G. BOGDEN
13 United States Attorney

14
15 /s/ Carlos A. Gonzalez
16 CARLOS A. GONZALEZ
17 Assistant U.S. Attorney
18
19
20
21
22
23
24
25
26

CERTIFICATE OF SERVICE

I certify that on April 25, 2012, the United States Attorney's Office served copies of the attached document by CM/ECF or first class mail, postage prepaid, as follows:

Addressee(s):

Christopher McNeil - #1063517
P.O. Box 650
Indian Springs, NV 89070

/s/Carlos A. Gonzalez
Carlos A. Gonzalez
Assistant U.S. Attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

CHRISTOPHER E. MCNEIL,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

2:11-CV-02076-JCM-VCF

FINAL ORDER IN GARNISHMENT

A writ of garnishment, directed to garnishee, has been duly issued and served upon the garnishee. Pursuant to the writ of garnishment, the garnishee filed an answer on or about August 22, 2011, stating that at the time of the service of the writ, garnishee had in garnishee's possession, custody or control personal property belonging to and due defendant. The garnishee stated it was holding underlying shares of or other outstanding certificates in the amount of \$190.95 and funds held in a fiduciary capacity in the amount of \$66.95.

The defendant was served with a copy of the writ of garnishment and notified of his right to a hearing on November 25, 2011. On December 12, 2011, the Defendant filed a motion for hearing and request for transfer to the District of Nevada. The parties have fully briefed the issues and in an order dated April 19, 2012, the Court denied McNeil's request for a hearing and denied his claim for exemption.

On April 25, 2012, Plaintiff filed a request for entry of final order in garnishment. No responsive pleading has been filed.

...

...

...

1 IT IS THEREFORE ORDERED that any amounts which the garnishee may be
2 holding pursuant to the writ of garnishment shall immediately be turned over to the Clerk
3 of U.S. District Court, 303 Federal Building, Butte, MT 59701.

4 DATED this 15th day of May, 2012.
5

6 

7 CAM FERENBACH
8 UNITED STATES MAGISTRATE JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26